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*Attorneys for Defendants  
Serenity Health and Gaby Cruz, and Specially-  
Appearing Defendants Michael Mall, Jeffrey  
M. Rhoden, Patricia Rhoden, and Sharon Benes*

**IN THE UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

SANKONA GRAHAM

Plaintiff,

vs.

THEODORE EISENLOFFEL; SAMUEL  
MOUNCE; THE COUNTY OF NYE;  
SHARON A. WEHRLY; DAVID  
BORUCHOWITZ; WILLIAM GRAY;  
RAYMOND HUNTLEY; KRISTEN  
CLEVELAND; SERENITY HEALTH; GABY  
CRUZ; MICHAEL MALL; JEFF M.  
RHODEN; PATRICIA RHODEN;  
SHARON BENES; DOE INDIVIDUALS I-X;  
ROE ENTITIES I-X, inclusive,

Defendants.

Case No. 2:21-cv-01674-RFB-VCF

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**(FIRST REQUEST)**

**IT IS HEREBY STIPULATED AND AGREED**, by all parties, by and through their  
respective counsel of record, to extend the last day to amend pleading and add parties, the expert

disclosure deadlines, the close of discovery, the dispositive motion deadlines, and joint pre-trial order deadline.

**A. DISCOVERY COMPLETED**

1. Plaintiff Graham served interrogatories upon Defendants Eisenloffel and Mounce, to which verified answers were served; and
2. Defendant Eisenloffel has served interrogatories, requests for admissions and requests for production upon Plaintiff, to which responses are not yet due.

**B. REMAINING DISCOVERY**

1. The deposition of Plaintiff Sankona Graham needs to be scheduled;
2. Continue obtaining medical records from Plaintiff's treating providers and disclosure of same;
3. Written discovery from Serenity Health and Gaby Cruz to Plaintiff Graham;
4. Depositions of relevant additional fact witnesses;
5. Disclosure of Plaintiff's and Defendants' expert and/or rebuttal expert witnesses; and
6. Further discovery as necessary.

**C. REASON FOR NOT COMPLETING DISCOVERY**

The Parties respectfully request an extension to the current discovery schedule as the current discovery deadlines provide insufficient time to complete the remaining discovery and would impose undue time and economic burdens on all parties, as Defendants Serenity Health and Gaby Cruz initially were named in Plaintiff's Second Amended Complaint and served on December 21, 2022. Defendants Michael Mall, Jeff M. Rhoden, Patricia Rhoden, and Sharon Benes have also been named in Plaintiff's Second Amended Complaint. However, Defendants have a pending Motion to Quash Service before this Court challenging personal jurisdiction. As such, these stipulating parties do not want to complete the remaining discovery, such as party depositions and disclosure of experts, without all parties to this action being present. Conducting the remaining discovery without all named parties' participation would surely impose unnecessary economic burden as the disclosure of experts

1 and parties' depositions will need to be reconducted with Michael Mall, Jeff M. Rhoden, Patricia  
 2 Rhoden, and Sharon Benes presence. Accordingly, additional time is needed to conduct the requisite  
 3 discovery, investigation, and preparation to ensure that this matter is properly adjudicated on the  
 4 merits.

5 **D. CURRENT DEADLINES**

|    |   |                  |
|----|---|------------------|
| 6  | Last Day to Amend Pleadings or Add Parties: | February 1, 2023 |
| 7  | Initial Expert Disclosures:                 | March 3, 2023    |
| 8  | Rebuttal Expert Disclosures:                | April 3, 2023    |
| 9  | Close of Discovery:                         | May 2, 2023      |
| 10 | Last Day to File Dispositive Motions:       | June 1, 2023     |
| 11 | Joint Pre-Trial Order:                      | July 3, 2023     |

12 **E. PROPOSED DEADLINES**

|    |   |                   |   |
|----|---|-------------------|---|
| 13 | Last Day to Amend Pleadings or Add Parties: | February 1, 2023  |   |
| 14 | Initial Expert Disclosures:                 | June 1, 2023      | If dispositive motions are<br>filed, the deadline<br>for filing the joint pretrial<br>order will be suspended<br>until 30 days after<br>decision on the dispositive<br>motions or further court<br>order. |
| 15 | Rebuttal Expert Disclosures:                | July 5, 2023      |   |
| 16 | Close of Discovery:                         | September 4, 2023 |   |
| 17 | Last Day to File Dispositive Motions:       | October 4, 2023   |   |
| 18 | Joint Pre-Trial Order:                      | December 4, 2023  |   |

19 If this limited amendment is granted, the parties anticipate being able to conduct all additional  
 20 discovery within the stipulated extended deadlines. This request for limited adjustment of discovery  
 21 deadlines is made by the parties in good faith and not for the purpose of delay.

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**IT IS SO STIPULATED.**

Counsel to this matter have agreed to the use of their e-signatures via email-correspondence, attached hereto. Plaintiff Graham has given his approval via written correspondence.

DATED this 1 day of March, 2023      DATED this 3<sup>rd</sup> day of March, 2023

APPEARING PRO SE

MESSNER REEVES LLP

Sankona Graham  
Sankona Graham  
1530943 (Inmate #) 1530943  
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/s/ Brittany A. Lewis  
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DATED this 3<sup>rd</sup> day of March, 2023

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/s/ Brent Ryman  
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*Attorneys for Defendants Eisenloffel and*  
*Mounce*

**ORDER**

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that this Stipulation to Extend Discovery Deadlines (First Request) is hereby granted and that the discovery deadlines shall be extended as follows:

|   |                   |
|---|-------------------|
| Last Day to Amend Pleadings or Add Parties: | February 1, 2023  |
| Initial Expert Disclosures:                 | June 1, 2023      |
| Rebuttal Expert Disclosures:                | July 5, 2023      |
| Close of Discovery:                         | September 4, 2023 |
| Last Day to File Dispositive Motions:       | October 4, 2023   |
| Joint Pre-Trial Order:                      | December 4, 2023  |

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

Dated 3-16-2023



UNITED STATES MAGISTRATE

Respectfully submitted by:

MESSNER REEVES LLP

/s/ Brittany A. Lewis, Esq.

03/03/2023

DATED

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